

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHRISTIAN MEDICAL AND
DENTAL ASSOCIATION, et al.,
Plaintiffs,

v.

ROB BONTA, et al.,
Defendants.

Case No. 5:22-cv-00335-FLA (GJSx)

**FINAL JUDGMENT ENTERING
PERMANENT INJUNCTION,
AWARDING ATTORNEY’S FEES,
AND DISMISSING ACTION [DKT.
125]**

It is hereby ORDERED that Defendants Rob Bonta, in his official capacity as Attorney General of the State of California; Tomás J. Aragón, M.D., DR. P.H., in his official capacity as the Director of the California Department of Public Health and as the State Public Health Officer; and Kristina D. Lawson, J.D., Randy W. Hawkins, M.D., Laurie Rose Lubiano, J.D., Ryan Brooks, Michelle Bholat, M.D., Veling Tsai, M.D., James M. Healzer, M.D., Asif Mahmood, M.D., David Ryu, Richard E. Thorp, M.D., Eserick Watkins, and Nicole Jeong, J.D., in their official capacities as members of the Medical Board of California, all State officers, agents, employees, and all other persons in active concert or participation with Defendants, are hereby permanently enjoined from enforcing any criminal or civil punishment, including professional

1 discipline or licensing sanction for a California-licensed physician’s refusal or failure
2 to:

3 (1) Document a patient’s request for medical aid-in-dying, as permitted by the
4 EOLOA, in the patient’s medical record, as required by Cal. Health & Safety Code §
5 443.14(e)(2);

6 (2) Provide information to a patient about aid-in-dying, other than the fact that
7 the physician does not provide aid-in-dying services under the EOLOA, when a
8 patient requests aid-in-dying; or

9 (3) Refer a patient to another physician when the patient seeks such referral for
10 the purpose of obtaining aid-in-dying services.

11 This Order does not prohibit the State, including Defendants, and each of them,
12 from enforcing other affirmative requirements in the EOLOA, including, but not
13 limited to, the requirements in Cal. Health & Safety Code § 443.14(e)(2) that a health
14 care provider who is unable or unwilling to participate in the EOLOA inform a patient
15 requesting aid-in-dying services that they do not participate in the EOLOA and
16 transfer a patient’s relevant medical record upon request.

17 It is further ORDERED that Defendants post a copy of this Order on the Medical
18 Board of California’s website. The Order shall remain posted on the website during
19 the time Cal. Health & Safety Code § 443.14(e)(2) is operative. Defendants shall also
20 revise language on any State-operated website, as necessary, for consistency with this
21 Order.


22 It is further ORDERED that Plaintiffs should be and hereby are declared
23 prevailing parties for purposes of 42 U.S.C. § 1988; Defendants shall pay Plaintiffs
24 the sum of \$300,000 for Plaintiffs’ reasonable attorney’s fees and costs necessarily
25 incurred in this case. The state agencies associated with Defendants (the California
26 Attorney General’s Office, the California Department of Public Health, and the
27 Medical Board of California) shall each pay one-third (\$100,000) of said amount.
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1 Pursuant to 28 U.S.C. § 1961, post-judgment interest shall begin to accrue 120 days
2 from the date this Court signs this Order.

3 It is ORDERED that this action is dismissed with prejudice. All dates and
4 deadlines governing this action are VACATED. All outstanding Motions (Dkt. 64,
5 70, 71) are DENIED as moot. It is further ORDERED that this Court shall retain
6 jurisdiction over this action for the limited purposes of implementing and enforcing
7 the final judgment.

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9 IT IS SO ORDERED.

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11 Dated: May 17, 2023

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14 FERNANDO L. AENLLE-ROCHA
15 United States District Judge
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